

Mr. WELDON of Pennsylvania. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I just want to join the gentleman and join the gentleman from Pennsylvania (Mr. MURTHA) for what I think is a smart amendment that really brings all of us together on this floor.

We just got through voting almost unanimously on a resolution, or a sense of Congress, that we condemn the acts that occurred. The gentleman just noted that procedures occurred earlier this morning that addressed the question of some of those Reservists and National Guard.

Sometimes we disagree on how far up the chain this accountability should be held, but we do not disagree, if you will, on the symbol that that prison now represents; and as well, we do not disagree on the fact that so many men and women are on the front lines, honorably serving, whether it is in Iraq, whether it is in Bosnia or whether it is in Afghanistan.

I believe this is a solid statement. We know, putting aside the tragedies that happened, that we do not discard, I find them horrific, that this is a place that Saddam Hussein used to cut off fingers, to mutilate, to dehumanize, if you will, over the decades. And now, of course, we have these horrific acts by soldiers which we do not uphold.

This is a forward step. And I would think that if we are moving to a democracy, we do not need any more of the hanging prisons located in Iraq, a new democracy that we are all trying to get to. So I would argue beyond my plea for accountability at the very highest levels for these terrible incidents.

I would say this is a very smart amendment. I ask my colleague to support it.

Mr. WELDON of Pennsylvania. Reclaiming my time, I thank the gentlewoman for her comments.

I would say in closing, Mr. Chairman, this does not mandate one thing. This does not require one action. This amendment simply says to the Department of Defense, if the new Iraqi legitimate government decides they want to proceed, we should assist in tearing down this prison. If the new Iraqi regime and government decides they do not want to proceed, then this amendment has no bearing.

I think it makes sense and I think it lets the new Iraqi Government know that we will be there if they decide to destroy this symbol of terrorism. That should be their decision. And if they make that decision, we should authorize our Defense Department to assist them in removing this symbol of terrorism and torture that has been there for so long.

Mr. Chairman, I yield back the balance of my time.

Mr. MCCOTTER. Mr. Chairman, I yield myself such time as I may consume.

First, I am aware of America's not having a role in Kilmainham Jail or

grandpa would not have come here in the first place, quite likely. I never implied that. It was never stated.

I think the fact that we are having this debate is a worthwhile debate, but it is not what is reflected in the amendment. If the new Iraqi Government applies, if the Iraqi Government referenced in the amendment on line 17 applies to the new sovereign Iraqi Government, it should say so. And since this seems to be the age of deadlines or timelines, put July 1 or later.

It also should not suggest only one course of action. It should suggest that after a new sovereign Iraqi Government decides what they want to do with that facility, I cannot use that word, that evil site, then we should be able to assist them in whatever decision they make.

I was talking to another Member today, it was kind of ironic, about this situation, and he mentioned he had been to Dachau. And there are two testaments to evil that I can right off think of, Dachau and Auschwitz where America liberated.

Auschwitz, which is in Poland, still stands intact. Dachau is a fence with pictures; Dachau is in Germany.

This is an intensely personal decision for the Iraqi people. It should be done through their sovereign government. There should be no external pressure or suggestions as to what they should do.

I believe that a better amendment would have been that we will assist them and the new sovereign government after July 1 in whatever disposition of that prison that they sought and saw fit, based upon the suffering on that site.

Mr. WELDON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MCCOTTER. I yield to the gentleman from Pennsylvania.

Mr. WELDON of Pennsylvania. Mr. Chairman, this legislation will pass after July 1, so there is no way that this legislation can apply to a government that exists today because, by the time this legislation is completed, it will be the time frame of October or November or later this year. So by the time this bill is signed into law, there will be no provisional authority. There will be a legitimate Iraqi Government duly elected by the Iraq people under their constitution.

So to reference a date is a moot point because by the time this legislation is passed, that date will far have been over.

□ 2100

Mr. MCCOTTER. Mr. Chairman, reclaiming my time, in a time of war events often lead legislation and precede it.

I have the utmost respect for the sponsors of this amendment and their intent. I believe him about the legislative process. It is my concern that come July 1 Abu Ghraib prison may not stand anymore and may not be there for a new sovereign Iraqi Government to make that determination.

That is my concern; and the drafting of the amendment, as such, could arguably allow that to happen with the implicit consent of a House that passed this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. SIMPSON). The question is on the amendment offered by the gentleman from Pennsylvania (Mr. WELDON).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. WELDON of Pennsylvania. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania (Mr. WELDON) will be postponed.

It is now in order to consider amendment No. 5 printed in House report 108-499.

AMENDMENT NO. 5 OFFERED BY MR. MEEK OF FLORIDA

Mr. MEEK of Florida. Mr. Chairman, I offer an amendment.

The Chairman pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. MEEK of Florida:

At the end of title IX (page 348, after the matter following line 21), insert the following new section:

SEC. 9. SECRETARY OF DEFENSE GUIDANCE ON IDENTIFICATION AND INTERNAL TRANSMISSION OF CRITICAL INFORMATION.

(a) DEFENSE GUIDANCE.—The Secretary of Defense shall establish criteria for determining the types of critical information required to be made known expeditiously to senior decision makers in the Department of Defense. The types of information specified should be matters of extraordinary significance and potential strategic impact and should be immediately necessary to facilitate timely information management in the high-level, decision-making process affecting successful mission accomplishment. The Secretary may from time to time modify the list to suit the current strategic situation, as necessary. The Secretary should provide to the Secretaries of the military departments, the commanders of deployed forces, and other elements of the Department of Defense guidance for the purposes of identifying those critical information requirements.

(b) MATTERS TO BE INCLUDED.—The guidance under subsection (a) shall include, at a minimum, requirement for identification of the following:

(1) Any incident that may require a military contingency based on the incident's nature, gravity, or potential for significant adverse consequences to United States citizens, military personnel, or assets, including an incident that provides opportunities for significant adverse publicity of a nature that could have a strategic impact.

(2) Any event, development, or situation that can be reasonably assumed to escalate into a significant adverse incident described in paragraph (1).

(3) Any deficiency or error in policy, standards, or training that can be reasonably assumed to foster significant adverse incidents described in paragraph (1).

(c) POLICY FOR TRANSMISSION OF INFORMATION TO OSD.—The Secretary of Defense